









# THE COMMONWEALTH.

## FRANKFORT.

THOMAS M. GREEN, Editor.

MONDAY, MARCH 15, 1858.

FOR CLERK OF THE COURT OF APPEALS,

GEORGE R. MCKEE,  
OF PULASKI COUNTY.

### CODES OF PRACTICE.

SECOND EDITION.

The proprietor of this paper has in preparation by MADISON C. JOHNSON and JAMES HANLAN, two of the Commissioners who prepared the Codes, the second edition of the Civil and Criminal Codes of Practice for the State of Kentucky.

The new edition will contain all the amendments adopted by the Legislature since the first edition was published, and also references to all the decisions of the Court of Appeals, whether published or in manuscript, relating to the construction of said codes.

We are authorized to announce Mr. Wm. F. PARENT as a candidate for Assessor of Franklin county.

The sale of I. N. Yarnall's house and lot will take place this day, in front of the Court House, at 12 o'clock M., instead of in front of the property. See advertisement.

### Northern Ascendency.

In the speech recently delivered by the great leader of the Black Republicans, Wm. H. Seward, in the United States Senate, that gentleman triumphantly alluded to the supremacy of the free States, in point of power in Congress, over the slave States. He contended that it had been the policy of the fathers of the Republic to foster free labor and to circumscribe and prevent the extension of slave labor over the new Federal Territories. In doing this he traced the gradual development and expansion of the United States, its growth, the admission of new States, and the gradual increase of the free States from one to sixteen in number. After citing the exclusion of slavery from the northwestern Territory by Congressional enactment as a proof that the sentiments of our public men in the earlier days of the Republic were against the increase of slave labor, he used the following language, to which we would direct the particular attention of the southern reader:

"The fathers simultaneously adopted three other measures of less direct intervention. First, they initiated in 1789, and completed in 1805, the absolute suppression of the African Slave Trade. Secondly, they organized systems of foreign commerce and navigation, which stimulated voluntary immigration from Europe. Thirdly, they established an easy, simple and uniform process of naturalization. The change of the balance of power from the slave States to the free States, which we are now witnessing, is due chiefly to these three early measures of national intervention in favor of free labor. It would have taken much longer if the borders of the Republic had remained unchanged. The purchase of Louisiana and the acquisition of Florida, however, were transactions resulting from high political necessities, in disregard of the question between free labor and slave labor."

As we have said, Mr. Seward is the ablest among all of the free soil politicians. He is the only man among them who at all approaches to the standard of statesmanship. His entire life and all his energies have been devoted to bringing about the very result of which he now triumphantly boasts, the supremacy of free over slave States in both Houses of Congress. He has also been the fast friend and toady of the foreigner under any and all circumstances; he has not only been the steadfast adherent of the policy of continuing that "easy, simple, and uniform process of naturalization" which he enumerates as among the principal causes of the increase of free soil power, but he has also been a loud and vehement advocate of alien suffrage in the Federal Territories and in the new States; and in these doctrines he stands side by side, and shoulder to shoulder, with the Democratic party. He has favored this alien suffrage in the Territories and new States, not merely on account of those fallacious, demagogical, and dangerous theories of inherent sovereignty, independent of law and constitutions, which he holds in common with nearly all northern Democrats—but also, avowedly, because he considers the policy of permitting aliens to vote in the Territories as, next to Wilmot Provisoism, the very best for the aggrandizement of the north and the oppression of the south. In his speech upon the Kansas Nebraska bill he exultingly told southern men that he had gained nothing by the repeal of the Missouri Compromise, since by the alien feature of the Kansas bill they had invited the immigration into that Territory of the hordes of refugees from Europe, who would go into the Territory with minds bitterly prejudiced against slavery in every form—a class of laborers whose interest it would be to exclude southern institutions and who would certainly snatch the Territory from the grasp of the south.

The subtle Senator from New York will live to see his prediction justified, and his reasoning good in every Territory where aliens are permitted the privileges which were extended to them in Kansas, Minnesota and other Territories.

The American press has never ceased to warn the south that in fostering the growth of foreign influence they were giving warmth and nourishment to a viper which would finally sting them in their most vital part. We have ourselves frequently sounded the alarm, and directed their attention to the war blasts from Seward, Chase, Greeley, and numerous other flatterers of the foreign element; our warnings have been unheeded amidst the fierce din of sectionalism which has raged around us and bereft men of their reason, but, like a faithful sentinel, we will not yet cease our endeavors to attract attention to the approaching foe. It may not be amiss again to remind southern men that of the thirteen States which formed the nucleus around which others have gathered, twelve were slave States and but one was free. Now six of those twelve have become free; and there are sixteen free States to fifteen slave States. If the three candidates which have recently presented themselves, Kansas, Minnesota, and Oregon, are admitted as free States, as they certainly will be, there will be nineteen free States to fifteen slave States. Originally there were twenty four Senators of slave States and only two of a free State; now there are thirty-two Senators of free States and thirty of slave States. In the first Constitutional Congress the slave States had fifty-seven Representatives, and the one

free State had only eight; now the free States have one hundred and forty-four Representatives, while the slave States have only ninety.

Allowing all the States which were slave at the time of the adoption of the Constitution, but which have since become free, to have been free at that time, and the relative population of the two sections would have been nearly equal; now the population of the free States is more than double that of the slave States.

"Now are all these facts to be accounted for? The solution may be found chiefly in the two last reasons given by Mr. Seward; the result is the effect of foreign immigration, and the naturalization laws. Reliable statistics show that six out of every seven of the foreigners who land upon our shores settle in the northern States. Any person who will take the trouble to examine into the facts will find that at the rate of immigration in 1853, there arrived in this country, every year, a sufficient number of persons to make a State embracing as large a white population as Maryland or Alabama, and within a fraction enough to make one having as large a white population as North Carolina or Georgia.

Every two years there would be enough to balance the white population of Virginia.

Every six months there would be almost enough to offset South Carolina or Louisiana!

And every five weeks a sufficient number to act as a counterpoise to the entire white population of Florida! and every year enough to weigh down in the political scale ten such States as Florida!

Assuming the immigration to continue what it was in 1853 it will be seen that in THIRTEEN YEARS a foreign population would be found in our shores equal to the entire white population of the fifteen slave States. And as it is known that nearly all of them settle in free States, these figures it will be easy to see what has been at least one potential cause of the relative decline of the South in representation and influence in the national councils.

Is this a picture to be contemplated with pleasure by southern men? We are aware that all this is a thrice told tale; but at this particular juncture, when the South is battling with all her power for the equilibrium of power at least in the Senate, even to the extent of endorsing, through some of her representatives, fraud and wrong—when some of her political leaders threaten disunion unless that equilibrium is maintained—when she is struggling against a large numerical superiority in Congress and among the people, at such a time as this it may not be inappropriate coolly and dispassionately to point out to her the causes which have arrayed this great force against her and the means by which the largely preponderating political power of the north has been obtained.

Let southern men reflect upon the facts which we have stated, and reflect also that it is not yet too late to check this arraying of a foreign army against her. And let that party which professes to be the particular defender of the South, cease to be also the protector of and toady to that very power and influence which has succeeded in placing the South in her present position of inferiority. Let them cease to prate about disunion and the manifold dangers which surround the South, and turn their attention to at least one of the monsters which threaten us. If they are sincere they will unite with the American party in the only practical mode of main taining, or of approaching a maintenance, of the equality of the south with the north.

CONCERT.—We again call attention to the concert to be given at the Capital Hotel, to-morrow night, for the benefit of the Presbyterian church, and advise all lovers of good music to attend.

LANDS RESTORED TO MARKET.—The Commissioner of the General Land Office gives notice that "grant of land to Wisconsin has been so far adjusted as to authorize the release from with drawal of the vacant offered lands outside of the six mile limits," on the La Crosse and Milwaukee road to St. Croix Lake, and on the North-eastern road from Fond du Lac to the State line. Also on the route from St. Croix to Lake Superior, sufficient time having elapsed to make survey of the route and selections of lands and none having been made, the lands will be restored to market with the proviso "that the railroad grant will attach to such of the odd numbered sections as may be selected under said act within the six mile limits of such parts of the said road as may be actually surveyed and staked off by the day fixed for the restoration of said lands."

The Menasha, Mineral Point, La Crosse, Hudson, and Eau Claire offices open on Monday, the 5th day of April, for the lands along the La Crosse and Milwaukee and Fond du Lac and Superior roads. The Hudson, Superior, and Eau Claire offices open on the third day of May for the lands along the route of the road from St. Croix to Superior City and Bayfield.

GEN. SHIELDS ON THE LEOPOLTON CONSTITUTION.—Gen. Shields, the Senator elect from Minnesota, in a letter just published dissespates all doubt as to his position on the Kansas question. He says:

"I cannot bring myself to condemn the President, even when his intentions of right seem to me to differ from him. I entertain the liveliest feelings of friendship for him, and regret from my inmost soul, that he has permitted his own honest judgment to be biased by the suggestions of selfish men, of inferior parts and questionable integrity.

We have fallen on strange times. I cannot venture a prediction as to the future. The people of Minnesota will do well to fortify their minds against any undue excitement. You may depend upon one thing, let what will happen: I mean, to the best of my poor abilities, to maintain the honor and dignity of Minnesota. I mean to resist wrong, let it come from what quarter it may; wrong to the people of Kansas—wrong to the people of Minnesota—wrong to the people of the North, or wrong to the South, I will resist, either in the Senate or out of the Senate, with all my heart and all my strength, so long as God is pleased to spare my life to my country.

Your friend,  
JAMES SHIELDS.

The Washington Star, in its notice of the President's levee, on Tuesday evening, says:—

The clear, bracing atmosphere last night sent the bellies of the metropolis to the White House with rosy cheeks of Nature's own touching up. By the way, a lady friend was so good last night as to hint to us a valuable recipe, being nothing less than an infallible test by which bachelors and Benedicks too, if they have any curiosity—may distinguish genuine color from that bought at the shop. Thus, if the lady's ears are of the same roseate tint as her cheeks, or measurably so, the color may be set down as natural, and not otherwise, as nature never perpetrates the anomaly of giving pallid aridular appendages and brilliant complexions to the same wearer.

Pshaw! The secret being disclosed, the beauties will now go to painting their ears to hide it. Can't head the women.

### Items by Telegraph.

CARLEISLE, Pa., March 11.

The court met this morning. All present except Gen. Wool, who is still sick. Col. Sumner was arraigned on charges: 1. Prejudice to good order and military discipline. 2. Violation of the articles of war in sending a challenge. 3. Upbraiding Harney for refusing to fight a duel. Col. Sumner pleads not guilty. The prosecution presents the correspondence between the parties and rests upon it. Col. F. Lee, member of the court for defense, testifies to insulting language of Harney towards Sumner while on trial at Fort Leavenworth. An essential witness for the defense, Col. Harris, of the marine corps, arrived this morning. Court adjourned till to-morrow.

WASHINGTON, March 12.

Senate.—Mr. Chandler of Mich., commenced a speech on the Kansas bill.

House.—The consular and diplomatic appropriation bill was taken up and read. Mr. Clingman of N. C., from the Committee on Foreign Affairs, reported a bill appropriating \$75 to pay for the repairs of the Norwegian bark Ellen, which rescued a portion of the passengers of the wrecked steamer Central America.

The House also passed the Senate bill authorizing certain actions engaged in by the several editions by the United States, and the bill of Sir John Franklin to receive the medals in commemoration of their services awarded by the British Government.

The Speaker announced the pending question to be an appeal taken by Mr. Harris, of Illinois, from the decision of the chair, that he could not read the journal and statement of the Kansas committee to show that the committee had not executed the order of the House for the reason that the minority could not make a report from the committee, and that it was no question of privilege.

CARLEISLE, Pa., March 12.

Court Martial of Col. Sumner.—Col. Harris testified that neither he nor Sumner construed the note to Gen. Harney to be a challenge, and Col. Sumner had solicited no friends.

Col. Sumner submitted, in defense, that the acts specified in the charges were not the products of sudden emergency or expression of passion, but the result of deliberate consideration and conviction of absolute necessity. The charges were not in detail. He denied that he made a personal affair of an official matter in the court at Leavenworth.

Gen. Harney had declared that he had before charged the accused with ungentlemanly and unofficerlike conduct and falsehood. When appealed to relieve the accused from accusations, he wrapped himself in the silence of insinuation. Col. Sumner denied that the letter was intended as a challenge, but was an invitation to leave the District of Columbia in order to examine the cause of the difficulty and make reparation to the accused.

Col. S. condemned the practice of duelling, but held that circumstances might arise in which would render it necessary. The court then went into secret session, which was very short, and the Judge Advocate proceeded immediately to Washington with the papers.

CLEVELAND, March 12.

A crowded anti-Leoponton meeting was held in the Melodeon last night. It was addressed by Hon. F. P. Stanton and others, and resolutions were adopted declaring that the Democracy of Cleveland are opposed to the admission of Kansas under the Leoponton Constitution.

WASHINGTON, March 9.

Dispatches were to day received at the Navy Department from Commodore Armstrong, commanding the East India squadron, dated Dec. 24. Capt. Simms, who was sent some time since to the island of Formosa to inquire into the fate of the crew of the frigates of the United States, reported that he had reached Shanghai, and reported that no information could be obtained of white persons being held in captivity by either the Chinese or native inhabitants of the island.

The English and French fleets had moved up the river off Canton, and had established their headquarters on the island of Hannan, opposite the French fleet having left. The French fleet being entertained of a revolt, the Americans residing there had asked that a United States vessel of war might be sent for their protection and relief. Commodore Armstrong had sent the sloop of war Portsmouth to their relief.

Advices from Commissioner Reed are of a most encouraging nature. He hopes to conclude his mission by the autumn of this year, and return to the United States.

The President has appointed the following cadets at large for West Point: George McKee, Samuel M. Mansfield, Singleton Van Buren, Wm. B. Beebe, George N. Bomford, Wm. H. Betts, Chas. R. Suter, Wm. Bartlett, Roland S. Mackenzie, and John R. Blocker.

[From the Council Bluffs Eagle, March 3.]

### Very Late and Important News from Utah.

Mr. Wingate has just arrived in this city, en route for Chicago to see Mr. Eastman, and only 31 days from Salt Lake City. He reports no snow in Salt Lake Valley at the time he left, and but little snow in the mountains. He came by a route known only to the Mormons and mountaineers, by which horsemen in single file can pass the army without being discovered. This route passes between a range of perpendicular rocks for 13 miles, and in many places is not over 3 feet wide, and is completely covered over with a rock roof.

The Mormons are making great preparations for defending all the passes to the Valley and are manufacturing small cannon and percussion locks, and telescope sights. These cannon carry a two pound ball, and from their peculiar construction will do execution at a distance of a mile and a half, with as much certainty as our common rifles with an hundred and twenty yards.

They also have a manufacture of rollers where five hundred are turned out per week.

They are also manufacturing a coarse powder, which they calculate to use in the construction of mines, by which they expect to be able to blow up a train without running any risk themselves. The Mormons and some of the picket guards of Col. Johnson's command have a skirmish, which the Mormons lost, two killed and five wounded, and he says it is reported that four of Col. Johnson's men were killed.

He also reports that Col. Johnson's mules and oxen are nearly all dead, and that it is believed by the Mormons that Johnson will not have a "hoof" alive in the spring.

Brigham Young preaches upon the subject of the war every Sunday. He says that Brigham is willing for Gov. Cumming and the civil officers to come into the Territory and enter upon the duties of their offices; but if the army attempts to enter the valley they will every one be cut off.

On the 24th of January, the day before Mr. Wingate left the city, Brigham preached to over nine thousand people, and after the sermon he requested all who were in favor of giving the vote to raise up—every man, woman, and child rose up. "Now," said Brigham, "I am satisfied. The Lord is with us, and if we determine of one accord to give the troops—b-l, the powers of the earth and hell cannot prevail over us, for I have it revealed to me that not a blade of grass or other green thing will be left on the Plains for the support of the beasts of our enemies—Nebraska, Kansas, Iowa, and Missouri will be made desolate, and a famine will prevail over the land of our enemies. Brethren, be of good cheer; God is with us, and hell cannot prevail against us."

We could not learn upon what business Mr. Wingate was dispatched from the city; but have no doubt but he has important business with the Mormons in the States, "which will be made manifest in due time."

The Tennessee House of Representatives, has passed a bill by a vote of 53 to 7, submitting to the people the propriety of holding a convention to amend the constitution of the State. Its passage by the Senate is confidently predicted.

### Fire and Loss of Life in North Carolina.

On the night of the 23d ult., a fire occurred at Newbern, N. C., destroying five buildings, two of which belonged to the estate of Captain Outten, and another occupied by Mr. Thomas J. Marshall. The latter gentleman was awakened and found himself nearly suffocated by smoke, and the lower portion of the building in flames. He instantly jumped out of the upper story window and endeavored to procure a ladder to rescue his family, but was unable to find one at the moment. The Union says:

Despairing of saving them in this way, and being almost frantic, he returned to his house, which was then almost entirely in flames, and shouted to his wife to throw the children to him from the window and then jump out herself; but, as the words were uttered, he heard her screams below stairs. Rushing in through the fire and smoke, he found her lying on the floor, where she had fallen, overcome by faint and suffocation, and totally unable to account for the manner in which she had descended the stairs, as they were nearly a complete sheet of flame.

On reaching the street, Mrs. M. stated that one of her children (an infant about six months old) was on the floor where she was found, when some one rushed in and rescued it; not, however, without having sustained very serious, and we fear, fatal injury. Another effort was now made to save the other children, but, alas! too late! The ladder was quickly ascended by the frantic father, who attempted to effect an entrance, but, when the windows were opened, nothing but a complete mass of fire and smoke met his agonizing gaze, entirely precluding the possibility of his entering the room or of his children being alive. It was then that hope forsook the bosoms of the unfortunate parents, and they realized their terrible and heartrending fact that their children had perished. They were both boys, one in his fifth and the other in his third year. The other child subsequently died from the effects of the fire.

Brown wants to know, "if a man's boots cracks, hasn't he got music in his sole?"

### SPECIAL NOTICES.

#### SPRING MILLINERY.

Mrs. MARGARET HERRENSMITH has received by Adams Express a fine assortment of SPRING MILLINERY, which she will sell at the lowest market price. [Mar 10—tf.]

We have been requested by Col. A. H. RENNICK to announce him a candidate for re-election to the office of County Clerk. March 8, 1858—tc.

We have been requested by Mr. DANIEL EFFERTSON to announce him a candidate for the office of Jailor of Franklin county. March 8, 1858—tc.

We are authorized to announce WILLIAM J. STEELE, Esq., as a candidate for the office of Presiding Judge of the Woodford County Court at the ensuing August election. [Jan. 20—td.]\*

We are requested to announce H. B. INNES as a candidate for the office of Sheriff of Franklin county. [Feb. 16, 1858—d&wlm.]

We are authorized to announce H. R. MILLEN, as a candidate for Jailor of Franklin county, at the ensuing August election. Jan. 26, 1858—tc.

#### Miss Mary T. Hodges

Will commence the second session of her school for young Misses, in one of the rooms in the basement story of the Presbyterian Church, on Monday, February, 22, 1858.

TERMS, for a session of 20 weeks, \$12.00. FRANKFORT, Feb. 19, 1858.

#### Special Notice---To the Public.

We hereby notify our friends and patrons that on and after the 1st of January, 1858, we will consider all accounts due semi annually, viz: 1st of January and 1st of July; and on all accounts not promptly paid at that time, interest will be charged until paid. Thankful for the liberal patronage of our friends and the public, we solicit a continuation of the same, knowing that under our new arrangements that we can and will make it to their interest to patronize us.

We will continue to keep a good assortment of goods for gentlemen's wear.

GILLISPIE & HEFFNER.

Jan. 11, 1858—tf.

Dr. VON MOSCHISZSKER, the well known Oculist and Aurist and sole owner of his celebrated Pantoscopic Glasses is now at the Phoenix Hotel, Lexington. Deafness and all diseases of the Eye which require either medical or surgical operation treated and restored in a very few visits. [See Lexington papers.] Dec. 10, 1857—tf.

#### Cove Mill Flour.

The undersigned will keep a supply of FLOUR, BRAN, SHORTS, AND CRUSHED CORN, for sale at Hanna's Block, No. 3, Main Street; his flour he warrants in every instance.

Dec. 4, 1857—tf. R. C. STEELE.

#### Wheat Wanted.

At the COVE MILL, by R. C. STEELE.

Dec. 4, 1857—tf.

#### Special Notice.

350 BUSHELS CLARK COUNTY BLUE Grass Seed in store and for sale by Dec. 4—tf. W. A. GAINES.

#### 800 Barrels Salt for Sale.

A first rate article, low for Cash. Nov. 18, 1857—tf. R. C. STEELE & Co.

#### Blank Negotiable Notes.

BLANK NEGOTIABLE NOTES which can be used for any Bank in Kentucky. For sale at this Office.

#### Sealed Proposals.

SEALED PROPOSALS will be received at the Land Office until April 13th, for the erection of a Fire-proof addition to said office.

A plan and specifications may be seen at said office, but the subscribers also invite builders to furnish plans with bids thereon.

ANDREW MCKINLEY, J. H. GARRARD, MASON BROWN.

March 15, 1858—lm.

#### Turnpike Notice.

THE annual election of the Managers for the Elkhorn Turnpike Road Company, will take place at the Bridge on Main Elkhorn, the 1st Monday (30th) in April next, at 10 o'clock A. M., at the Elkhorn, which allows one vote for each share of stock, may be voted personally or by proxy.

Five Managers to be elected, to serve one year. F. H. HOOVER, Sec'y. J. S. STEEDMAN, President. March 15, 1858—td.

GIN—If you want excellent GIN call at May 15, 1857. G. W. A. ROBERTSON'S.

### CARD.

HAVING SOLD OUR ENTIRE STOCK OF BOOTS, Shoes, Hats, Caps, Books and Stationery to KEENON & CRUTCHER, we take pleasure in recommending them to all our customers and friends. Give them a call. March 12—lm. MORRIS & HAMPTON.

### NOTICE.

I HAVE SOLD TO Messrs. KEENON & CRUTCHER my entire stock of Boots, Shoes, Hats, Caps, Books and Stationery, and bespeak for them the patronage heretofore so liberally extended to me. March 12—lm. H. EVANS.

### NEW FIRM.

ED. KEENON. JOHN N. CRUTCHER.

KEENON & CRUTCHER, HAVING PURCHASED THE STOCK OF

BOOTS, SHOES, HATS, CAPS,

Books & Stationery,

H. EVANS, also that of MORRIS & HAMPTON, will continue to carry on the above business, at the stand occupied by H. EVANS, on Main street, where, by strict attention to business, they hope to merit as well as receive a liberal share of public patronage. March 12—lm.

### By State Authority.

Choice First-Class Insurance,

—BY THE—

AETNA

INSURANCE COMPANY.

HARTFORD CONN.

Incorporated 1819.—Charter Perpetual.

Cash Capital \$1,000,000 00.

ABSOLUTE AND UNIMPAIRED.

With a Surplus of \$506,387 88.

And the prestige of 39 years success and experience.

#### ASSETS JANUARY 1, 1858:

Cash in hand and deposits in Hartford \$346,123 69

Cash in transit and Agents' hands 186,272 03

Money due the Company, secured by 5,418 04

Mortgages 129,000 00

Real Estate unencumbered 47,523 42

Bills Receivable 33,175 17

Market Value.

102 Bonds 6, 7 and 10 per cent. interest, 102,000 00

annually 637 Shares Railroad Stock, 54,440 00

50 do. Connecticut Riv. Co. Stock, 1,250 00

50 do. Stafford Bank, 3,800 00

50 do. Waterbury Bank, 5,000 00

36 do. Providence Bank, 2,800 00

200 do. Hartford, 129,000 00

49 1/2 do. New York, 500,952 50

15 do. Jersey City, 1,425 00

100 do. United States Trust Co. N. Y. Stock, 10,000 00

150 Shares New York L. & L. Trust Co. Stock, 22,500 00

Total Assets \$1,000,000 00

Unsettled Claims not due, \$173,226 84

Losses Equitably Adjusted and Promptly Paid.

UPWARDS OF \$1,000,000

Of Losses have been paid by the Aetna Insurance Company in the past 39 years.



